

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW HAMPSHIRE

---

**In RE:**  
**Mark A. and Jennifer A. Zeveckas,**  
**Debtors**

**Bk. No. 04-14482-MWV**  
**Chapter 7**  
**Proposed Hrg. Date: 8/29/06**  
**Hrg. Time: To be determined**

---

**NOTICE OF INTENDED SALE**

**NOW COME** Mark A. and Jennifer A. Zeveckas, through their attorneys, Michels & Michels, and hereby give notice of intended sale of Debtors' property located at 47 Barbara Lane, Hudson, New Hampshire, and in support thereof, states as follows:

1. Debtors filed for bankruptcy court protection under Chapter 13 on December 21, 2004. Debtors' Chapter 13 case was converted to a Chapter 7 on August 18, 2006. the Meeting of Creditors is scheduled for September 22, 2006, at 1:00 p.m.
2. The Debtors are the owners of property located at 47 Barbara Lane, Hudson, New Hampshire, which was Debtors' principle residence.
3. Said property is encumbered by a first mortgage to Household Finance Corp., II (hereinafter "Household").
4. Debtors, unfortunately, were unable to make all of their post-petition mortgage payments to Household Finance Corp. II and relief from stay was granted to them on June 22, 2006 (See Docket #31).
5. Debtors, prior to their case being converted, hired Bonnie Gravel of Prudential Verani Realty to sell the property and the Court approved an Application to Employ Real Estate Agent for Debtors on May 26, 2006 (See Docket #21). The application stated the commission rate was 5.5%, but in order to make it possible for the sale to go through, the brokers have agreed to a reduced commission of \$12,000.00.
6. Debtors have pursued the sale of their home since May.

7. Debtors have obtained a buyer for the property but they need to close by August 31, 2006.

A copy of the Purchase and Sales Agreement is attached as Exhibit A. Debtors wish to sell the property pursuant to that Purchase and Sales Agreement.

8. Pursuant to the Motion for Relief filed by Household, as of June 5, 2006, \$310,954.60 was due Household.

9. Since after the cost of sale, real estate taxes and condo fees, there will be insufficient funds to pay Household all money that is due them, undersigned counsel has sought approval of a so-called "short sale" from Household. While counsel has been attempting to obtain approval since July (one prior sale fell through) it was not until August 23, 2006, that Household approved the short sale.

10. The breakdown of the proceeds from the sale of real estate is estimated as follows:

Sales Price	\$287,000.00
<b>Less:</b>	
Broker Fees	12,000.00
Tax Stamps	2,153.00
Miscellaneous, fees, discharges, etc.	500.00
Costs to be paid for Buyers per P&S	10,000.00
Unpaid condo fees	700.00
Real Estate Taxes	<u>6,940.00</u>
<b>Available Proceeds</b>	<b>\$254,707.00</b>
<b>to pay Household</b>	

11. FRBP 6004(g) states that an order authorizing the sale of property is stayed until the expiration of 10 days after entry of the order, unless the Court orders otherwise.

12. Cause exists to waive the 10-day notice as:

(a) the buyer needs to close as soon as possible.

(b) there will be no net proceeds paid to seller. However, by allowing the sale to go through, the Debtors will not have a foreclosure on their record. This sale also, on information and belief, maximizes the amount available for the secured creditor, Household.

13. Notice is hereby given to all interested parties and creditors that they may object to this sale if they so desire.

14. If an Objection is filed, a party in interest must file a written Objection

with the Clerk of the United States Bankruptcy Court, 1000 Elm Street, Suite 1001, Manchester, New Hampshire 03101-1708, with a copy sent to the Attorney for the Debtor at the below address and to the U.S. Trustee's Office, 66 Hanover Street, Suite 302, Manchester, New Hampshire 03101, and to the Chapter 7 Trustee, Edmond J. Ford, Esq., Ford, Weaver and McDonald, P.A., 10 Pleasant St., Suite 400, Portsmouth, New Hampshire 03801. Objections must be in writing, giving the Debtor's name and case number and stating that the party filing it has an interest in the case and their reasons for the Objection.

**NOTICE IS FURTHER GIVEN THAT IF AN OBJECTION IS FILED, THE BANKRUPTCY COURT WILL HEAR THE OBJECTION ON AUGUST 29, 2006, AT TIME TO BE DETERMINED BY COURT.**

**WHEREFORE**, Mark A. and Jennifer A. Zeveckas respectfully request the Court enter an Order:

- A. Approving the intended sale of debtors' property as stated above.
- B. For such other and further relief as the Court may deem just.

Respectfully submitted,  
MARK A. AND JENNIFER A. ZEVECKAS  
By and through his attorneys,  
MICHELS & MICHELS

Dated: August 24, 2006

/s/ Nancy H. Michels  
Nancy H. Michels, Esquire  
BNH #01325  
25 Nashua Road, PO Box 980  
Londonderry, NH 03053-0980  
(603) 434-1717